

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gordon J. Pike
Title : SUBMARINE EMERGENCY EVACUATION SYSTEM
Serial No. : 10/566,770
Filing Date : September 1, 2006
Customer No. : 000116
Docket : 39540

REQUEST FOR REFUND

Mail Stop PCT
Attn: PCT Legal Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant is stating herein that the above-identified application was filed as a small entity and is still entitled to small entity status. Enclosed herewith is a copy of our August 28, 2006 letter in response to the Notification of Missing Requirements in which the entitlement to small entity status was emphasized. Our Check No. 68364 for \$900 was enclosed with the application as filed on January 31, 2006. A copy of our Deposit Account No. 16-0820 as debited on August 7, 2006 for \$900 is also enclosed. Thus we have been charged for this application at the large entity rate.

In a telephone conversation on December 6, 2006 with a representative at the PCT Help Desk, we were told to fax this refund request to the attention of the PCT Legal Office. Accordingly, applicant herein respectfully requests a credit in the amount of \$900 to correct the filing fee overcharge.

Applicant is also enclosing a copy of the filing receipt mailed November 28, 2006 which shows the filing fee as received at the large entity rate. Please issue a corrected filing receipt showing the fee at the small entity rate (\$900 filing fee and \$65 late filing fee surcharge).

Respectfully submitted,
PEARNE & GORDON LLP

By John P. Murtaugh
John P. Murtaugh, Reg. No. 34226

1801 East 9th Street, Suite 1200
Cleveland, Ohio 44114-3106
(216) 579-1700
Date: 12-7-06

FAX NO. 1-571-273-0459
Total Transmission - 6 pages

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below.

John P. Murtaugh
Name of Attorney for Applicant(s)
December 7, 2006 John P. Murtaugh
Date Signature of Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gordon J. Pike
 Title : SUBMARINE EMERGENCY EVACUATION SYSTEM
 Serial No. : 10/566,770
 International Filing Date : August 6, 2004
 International Application No. : PCT/CA04/01478
 Customer No. : 000116
 Docket : 39540

LETTER

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated August 8, 2006, (copy enclosed) applicant encloses herewith the required oath or declaration of the inventors. Applicant notes that this application was filed as a small entity and is still entitled to the small entity status. Accordingly, applicant encloses herewith a check in the

amount of \$65.00 to cover the late filing fee surcharge at the small entity rate. *When this application was filed on Jan. 31, 2006, applicant asserted entitlement to small entity status. At this time, applicant again asserts entitlement to small entity status.*

If there are any extension fees or other fees required by this communication, please charge any such fees to our Deposit Account No. 16-0820, Order No. 39540.

Respectfully submitted,

PEARNE & GORDON LLP

By John P. Murtaugh
 John P. Murtaugh, Reg. No. 34226

1801 East 9th Street, Suite 1200
 Cleveland, Ohio 44114-3108
 (216) 579-1700

Date: Aug. 28, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

John P. Murtaugh
 Name of Attorney for Applicant(s)
Aug. 28, 2006 John P. Murtaugh
 Date Signature of Attorney

RECEIVED
 7 DEC 2006
 Legal Staff
 International Division

Deposit Account Statement

Page 2 of 8

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GWL



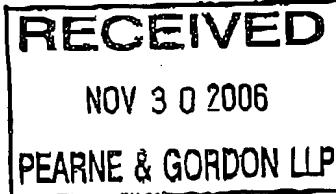
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UNITED STATES DEPARTMENT OF COMMERCE
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APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/566,770	09/01/2006	3617	1865	39540	20	38	2

00116
 PEARNE & GORDON LLP
 1801 EAST 9TH STREET
 SUITE 1200
 CLEVELAND, OH 44114-3108

Should
be
965



CONFIRMATION NO. 7827

FILING RECEIPT



OC000000021367643

Date Mailed: 11/28/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gordon J. Pike, St. John's, NF, CANADA;

Power of Attorney: The patent practitioners associated with Customer Number 00116.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/CA04/01478 08/06/2004

Foreign Applications

CANADA 2,439,844 09/05/2003

If Required, Foreign Filing License Granted: 11/27/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/566,770**

Projected Publication Date: 03/08/2007

Non-Publication Request: No

Early Publication Request: No

Title

Submarine emergency evacuation system

Preliminary Class

114

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An International (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

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unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

*** RX REPORT ***

RECEPTION OK

TX/RX NO	7051
RECIPIENT ADDRESS	216 579 6073
DESTINATION ID	
ST. TIME	12/07 16:10
TIME USE	01 '11
PGS.	6
RESULT	OK